

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BERNIE MULERO,

Plaintiff,

v.

OFFICER PATRICK JAMES WALSH and  
OFFICER RONALD SHEPOSH,

Defendants.

CIVIL ACTION NO. 3:15-CV-01406

(JUDGE CAPUTO)

**ORDER**

NOW, this 28<sup>th</sup> day of February, 2018, IT IS HEREBY ORDERED that:

- (1) Defendant Sheposh's Motion for Judgment as a Matter of Law, Motion for a New Trial, and Motion to Alter or Amend the Judgment (*Doc. 77*) is **GRANTED IN PART** and **DENIED IN PART** as follows:
  - (a) Defendant's Motion as a Matter of Law on qualified immunity is **DENIED**;
  - (b) Defendant's Motion for a New Trial is **DENIED**;
  - (c) Defendant's Motion for remittitur is **GRANTED IN PART** and **DENIED IN PART**. The Plaintiff **SHALL REMIT** \$125,000 of the compensatory damage award. Should the Plaintiff refuse to accept \$125,000 in compensatory damages, a new trial on the issue of compensatory damages **SHALL** be conducted.
- (2) Plaintiff's Motion for Attorney's Fees and Costs (*Doc. 74*) will be **GRANTED IN PART** and **DENIED IN PART** as follows:
  - (a) Plaintiff is awarded **\$148,772.50** in fees for services rendered by Attorney Harry Coleman, Attorney John Lawler, and Paralegal Leigh Gerardi. Plaintiff will be awarded an additional **\$1,467** for costs.

/s/ A. Richard Caputo

A. Richard Caputo

United States District Judge